

**Fiscal:** Has minimal fiscal impact

**Revenue:** No Revenue Impact

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**Action Date:** 04/15/15

**Action:** Do Pass The A-Eng Bill.

**Meeting Dates:** 04/15

**Vote:**

Yeas: 5 - Burdick, Gelser, Kruse, Prozanski, Thatcher

**Prepared By:** Channa Newell, Counsel

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**WHAT THE MEASURE DOES:**

Enacts Oregon Student Information Protection Act. Prohibits operator of website, service, or application designed for kindergarten through grade 12 educational purposes from engaging in targeted advertising, amassing student profiles, selling student information, or disclosing covered information. Allows limited disclosure of information made to further school purposes, to comply with legal and regulatory requirements, to participate in judicial proceedings, and to protect safety of user or integrity of application. Requires operator to implement and retain reasonable security procedures and practices, and to delete students' covered information within reasonable time of request to delete. Allows disclosure of covered student information if required by law, for legitimate research purposes, or if made to a state or local educational agency. Specifies circumstances for disclosure of de-identified information. Makes violation of Act unlawful business practice enforceable by Attorney General. Becomes effective July 1, 2016.

**ISSUES DISCUSSED:**

- Efforts to protect student records and information
- Educational technology industry generated \$8 billion in revenue in 2012-2013
- Effect of data breaches on students' futures
- Daily activities in learning environment may be monitored and evaluated
- Benefits of educational technology in enhanced learning
- California Student Online Personal Information Protection Act as basis for measure

**EFFECT OF COMMITTEE AMENDMENT:**

No amendment.

**BACKGROUND:**

The U.S. Census Bureau estimates that there are over 860,000 children in Oregon. Over 550,000 of those children are enrolled in public kindergarten through grade 12 schools. Schools are increasingly utilizing online and mobile applications to enhance learning and provide feedback on student performance. As applications and software become more integrated into the classroom, concerns have been raised about the safety and use of the data collected through such applications.

Senate Bill 187 A requires providers of educational applications or websites to provide reasonable security for student information. It prohibits selling student information, amassing student profiles, and targeting advertisements to students through the sites or applications. Violations of the provisions of the measure are a violation of the Unlawful Trade Practices Act and may be enforceable by the Attorney General.